

Senate Engrossed

**FILED**

**MICHELE REAGAN**  
**SECRETARY OF STATE**

State of Arizona  
Senate  
Fifty-third Legislature  
First Regular Session  
2017

**CHAPTER 84**  
**SENATE BILL 1132**

AN ACT

AMENDING SECTIONS 28-2407, 28-6501, 28-6991 AND 28-6993, ARIZONA REVISED  
STATUTES; RELATING TO SPECIAL LICENSE PLATES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-2407, Arizona Revised Statutes, is amended to  
3 read:

4 28-2407. Amateur radio operator special plates; fund

5 A. The department shall issue amateur radio operator special plates  
6 to a person who provides satisfactory proof that the person owns and holds  
7 an unrevoked and unexpired amateur radio station license issued by the  
8 federal communications commission.

9 B. The amateur radio operator special plates shall be inscribed  
10 with the official identifying amateur radio call letters of the applicant  
11 as assigned by the federal communications commission.

12 C. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR  
13 THE ORIGINAL SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, EIGHT  
14 DOLLARS IS A SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN  
15 ANNUAL DONATION.

16 D. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND  
17 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND  
18 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO  
19 THIS SECTION IN THE ARIZONA AMATEUR RADIO EDUCATION AND COMMUNITY  
20 INVOLVEMENT FUND ESTABLISHED BY SUBSECTION E OF THIS SECTION.

21 E. THE ARIZONA AMATEUR RADIO EDUCATION AND COMMUNITY INVOLVEMENT  
22 FUND IS ESTABLISHED CONSISTING OF MONIES RECEIVED PURSUANT TO THIS  
23 SECTION. THE DIRECTOR SHALL ADMINISTER THE FUND. NOT MORE THAN TEN  
24 PERCENT OF MONIES DEPOSITED IN THE FUND ANNUALLY SHALL BE USED FOR THE  
25 COST OF ADMINISTERING THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY  
26 APPROPRIATED.

27 F. THE DIRECTOR SHALL ANNUALLY ALLOCATE MONIES FROM THE FUND,  
28 EXCLUDING ADMINISTRATIVE FEES, TO AN ORGANIZATION THAT IS A NONPROFIT  
29 CORPORATION IN THIS STATE THAT IS QUALIFIED UNDER SECTION 501(c)(3) OF THE  
30 UNITED STATES INTERNAL REVENUE CODE FOR FEDERAL INCOME TAX PURPOSES THAT  
31 MEETS ALL OF THE FOLLOWING:

32 1. IS COMPRISED OF AMATEUR RADIO CLUBS THROUGHOUT THIS STATE.

33 2. HAS OBJECTIVES THAT INCLUDE:

34 (a) COMBINING OPINIONS, IDEAS AND STRENGTHS OF VARIOUS CLUBS.

35 (b) ASSISTING AFFILIATED CLUBS IN PROMOTING THE WELFARE OF THE  
36 AMATEUR RADIO FRATERNITY.

37 (c) ENCOURAGING ACTIVITIES THAT WILL BENEFIT AMATEUR RADIO.

38 3. AWARDS SCHOLARSHIPS TO LICENSED AMATEURS WHO ARE ENROLLED IN AN  
39 INSTITUTE OF HIGHER LEARNING.

40 4. AWARDS GRANTS TO AFFILIATED CLUBS FOR PURPOSES THAT BENEFIT THE  
41 AMATEUR RADIO COMMUNITY AND ENHANCE THE COMMUNICATIONS NETWORK IN THIS  
42 STATE.

43 G. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER SHALL INVEST  
44 AND DIVEST MONIES IN THE FUND AS PROVIDED IN SECTION 35-313, AND MONIES  
45 EARNED FROM INVESTMENT SHALL BE CREDITED TO THE FUND. MONIES IN THE FUND

1 ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190 RELATING TO LAPSING OF  
2 APPROPRIATIONS.

3 Sec. 2. Section 28-6501, Arizona Revised Statutes, is amended to  
4 read:

5 28-6501. Definition of highway user revenues

6 In this article, unless the context otherwise requires or except as  
7 otherwise provided by statute, "highway user revenues" means all monies  
8 received in this state from licenses, taxes, penalties, interest and fees  
9 authorized by the following:

10 1. Chapters 2, 7, 8 and 15 of this title, except for:

11 (a) The special plate administration fees prescribed in sections  
12 28-2404, 28-2407, 28-2412 through 28-2459 and 28-2514.

13 (b) The donations prescribed in sections 28-2404, 28-2407, 28-2412  
14 through 28-2415, 28-2417 through 28-2459, 28-2473, 28-2474 and 28-2475.

15 2. Section 28-1177.

16 3. Chapters 10 and 11 of this title.

17 4. Chapter 16, articles 1, 2 and 4 of this title, except as  
18 provided in sections 28-5926 and 28-5927.

19 Sec 3. Section 28-6991, Arizona Revised Statutes, is amended to  
20 read:

21 28-6991. State highway fund; sources

22 A state highway fund is established that consists of:

23 1. Monies distributed from the Arizona highway user revenue fund  
24 pursuant to chapter 18 of this title.

25 2. Monies appropriated by the legislature.

26 3. Monies received from donations for the construction, improvement  
27 or maintenance of state highways or bridges. These monies shall be  
28 credited to a special account and shall be spent only for the purpose  
29 indicated by the donor.

30 4. Monies received from counties under cooperative agreements,  
31 including proceeds from bond issues. The state treasurer shall deposit  
32 these monies to the credit of the fund in a special account on delivery to  
33 the treasurer of a concise written agreement between the department and  
34 the county stating the purposes for which the monies are surrendered by  
35 the county, and these monies shall be spent only as stated in the  
36 agreement.

37 5. Monies received from the United States under an act of Congress  
38 to provide aid for the construction of rural post roads, but monies  
39 received on projects for which the monies necessary to be provided by this  
40 state are wholly derived from sources mentioned in paragraphs 2 and 3 of  
41 this section shall be allotted by the department and deposited by the  
42 state treasurer in the special account within the fund established for  
43 each project. On completion of the project, on the satisfaction and  
44 discharge in full of all obligations of any kind created and on request of  
45 the department, the treasurer shall transfer the unexpended balance in the

1 special account for the project into the state highway fund, and the  
2 unexpended balance and any further federal aid thereafter received on  
3 account of the project may be spent under the general provisions of this  
4 title.

5 6. Monies in the custody of an officer or agent of this state from  
6 any source that is to be used for the construction, improvement or  
7 maintenance of state highways or bridges.

8 7. Monies deposited in the state general fund and arising from the  
9 disposal of state personal property belonging to the department.

10 8. Receipts from the sale or disposal of any or all other property  
11 held by the department and purchased with state highway monies.

12 9. Monies generated pursuant to section 28-410.

13 10. Monies distributed pursuant to section 28-5808, subsection B,  
14 paragraph 2, subdivision (d).

15 11. Monies deposited pursuant to sections 28-1143, 28-2353 and  
16 28-3003.

17 12. Except as provided in section 28-5101, the following monies:

18 (a) Monies deposited pursuant to section 28-2206 and section  
19 28-5808, subsection B, paragraph 2, subdivision (e).

20 (b) One dollar of each registration fee and one dollar of each  
21 title fee collected pursuant to section 28-2003.

22 (c) Two dollars of each late registration penalty collected by the  
23 director pursuant to section 28-2162.

24 (d) The air quality compliance fee collected pursuant to section  
25 49-542.

26 (e) The special plate administration fees collected pursuant to  
27 sections 28-2404, 28-2407, 28-2412 through 28-2416, 28-2416.01, 28-2417  
28 through 28-2459 and 28-2514.

29 (f) Monies collected pursuant to sections 28-372, 28-2155 and  
30 28-2156 if the director is the registering officer.

31 13. Monies deposited pursuant to chapter 5, article 5 of this  
32 title.

33 14. Donations received pursuant to section 28-2269.

34 15. Dealer and registration monies collected pursuant to section  
35 28-4304.

36 16. Abandoned vehicle administration monies deposited pursuant to  
37 section 28-4804.

38 17. Monies deposited pursuant to section 28-710, subsection D,  
39 paragraph 2.

40 18. Monies deposited pursuant to section 28-2065.

41 19. Monies deposited pursuant to section 28-7311.

42 20. Monies deposited pursuant to section 28-7059.

43 21. Monies deposited pursuant to section 28-1105.

44 22. Monies deposited pursuant to section 28-2448, subsection D.

45 23. Monies deposited pursuant to section 28-3415.



1        24. Monies deposited pursuant to section 28-3002, subsection A,  
2 paragraph 14.

3        25. Monies deposited pursuant to section 28-7316.

4        Sec. 4. Section 28-6993, Arizona Revised Statutes, is amended to  
5 read:

6        28-6993. State highway fund; authorized uses

7        A. Except as provided in subsection B of this section and section  
8 28-6538, the state highway fund shall be used for any of the following  
9 purposes in strict conformity with and subject to the budget as provided  
10 by this section and by sections 28-6997 through 28-7003:

11        1. To pay salaries, wages, necessary travel expenses and other  
12 expenses of officers and employees of the department and the incidental  
13 office expenses, including telegraph, telephone, postal and express  
14 charges and printing, stationery and advertising expenses.

15        2. To pay for both:

16        (a) Equipment, supplies, machines, tools, department offices and  
17 laboratories established by the department.

18        (b) The construction and repair of buildings or yards of the  
19 department.

20        3. To pay the cost of both:

21        (a) Engineering, construction, improvement and maintenance of state  
22 highways and parts of highways forming state routes.

23        (b) Highways under cooperative agreements with the United States  
24 that are entered into pursuant to this chapter and an act of Congress  
25 providing for the construction of rural post roads.

26        4. To pay land damages incurred by reason of establishing, opening,  
27 altering, relocating, widening or abandoning portions of a state route or  
28 state highway.

29        5. To reimburse the department revolving account.

30        6. To pay premiums on authorized indemnity bonds and on  
31 compensation insurance under the workers' compensation act.

32        7. To defray lawful expenses and costs required to administer and  
33 carry out the intent, purposes and provisions of this title, including  
34 repayment of obligations entered into pursuant to this title, payment of  
35 interest on obligations entered into pursuant to this title, repayment of  
36 loans and other financial assistance, including repayment of advances and  
37 interest on advances made to the department pursuant to section 28-7677,  
38 and payment of all other obligations and expenses of the board and  
39 department pursuant to chapter 21 of this title.

40        8. To pay lawful bills and charges incurred by the state engineer.

41        9. To acquire, construct or improve entry roads to state parks or  
42 roads within state parks.

43        10. To acquire, construct or improve entry roads to state prisons.

44        11. To pay the cost of relocating a utility facility pursuant to  
45 section 28-7156.

1           12. For the purposes provided in subsections C, D and E of this  
2 section and sections 28-1143, 28-2353 and 28-3003.

3           13. To pay the cost of issuing an Arizona centennial special plate  
4 pursuant to section 28-2448.

5           B. For each fiscal year, the department of transportation shall  
6 allocate and transfer monies in the state highway fund to the department  
7 of public safety for funding a portion of highway patrol costs in eight  
8 installments in each of the first eight months of a fiscal year that do  
9 not exceed ten million dollars.

10          C. Subject to legislative appropriation, the department may use the  
11 monies in the state highway fund as prescribed in section 28-6991,  
12 paragraph 12 to carry out the duties imposed by this title for  
13 registration or titling of vehicles, to operate joint title, registration  
14 and driver licensing offices, to cover the administrative costs of issuing  
15 the air quality compliance sticker, modifying the year validating tab and  
16 issuing the windshield sticker and to cover expenses and costs in issuing  
17 special plates pursuant to sections 28-2404, 28-2407, 28-2412 through  
18 28-2459 and 28-2514.

19          D. The department shall use monies deposited in the state highway  
20 fund pursuant to chapter 5, article 5 of this title only as prescribed by  
21 that article.

22          E. Monies deposited in the state highway fund pursuant to section  
23 28-2269 shall be used only as prescribed by that section.

24          F. Monies deposited in the state highway fund pursuant to section  
25 28-710, subsection D, paragraph 2 shall only be used for state highway  
26 work zone traffic control devices.

27          G. The department may exchange monies distributed to the state  
28 highway fund pursuant to section 28-6538, subsection A, paragraph 1 for  
29 local government surface transportation program federal monies  
30 suballocated to councils of government and metropolitan planning  
31 organizations if the local government scheduled to receive the federal  
32 monies concurs. An exchange of state highway fund monies pursuant to this  
33 subsection shall be in an amount that is at least equal to ninety percent  
34 of the federal obligation authority that exists in the project for which  
35 the exchange is proposed.

**APPROVED BY THE GOVERNOR MARCH 28, 2017.**

**FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 28, 2017.**

Passed the House March 21, 2017,

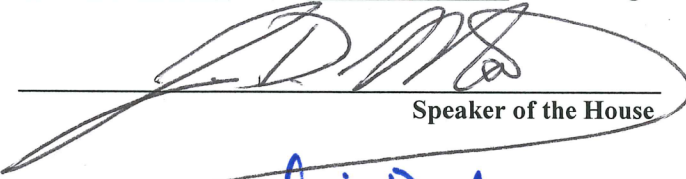
Passed the Senate February 2, 2017,

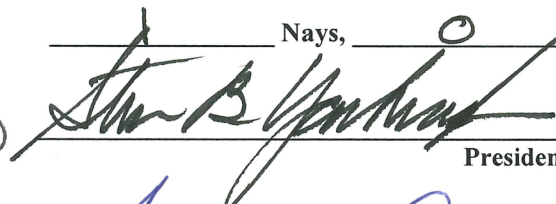
by the following vote: 37 Ayes,

by the following vote: 29 Ayes,

19 Nays, 4 Not Voting

0 Nays, 0 Not Voting

  
Speaker of the House  
Joni Drake  
Chief Clerk of the House

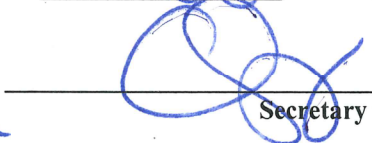
  
President of the Senate  
Suzanne Owens  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

22 day of March, 2017,

at 2:08 o'clock P. M.

  
Secretary to the Governor

Approved this 28<sup>th</sup> day of

March, 2017,

at 5:18 o'clock P. M.

  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 28 day of March, 2017,

at 5:49 o'clock P. M.

Michelle Reagan  
Secretary of State

S.B. 1132